

RESOLUTION NO. 665

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF PENN TOWNSHIP, YORK COUNTY, PENNSYLVANIA, APPROVING THE FINANCING BY PENN TOWNSHIP VOLUNTEER EMERGENCY SERVICES, INC., A PENNSYLVANIA NONPROFIT CORPORATION OF A CERTAIN PROJECT, SERVING THE PEOPLE OF PENN TOWNSHIP, YORK COUNTY, PENNSYLVANIA, WHICH PROJECT CONSISTS OF, AMONG OTHER THINGS, THE CONSTRUCTION OF FIRE AND EMERGENCY SERVICE BUILDINGS AND FACILITIES; DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE IN THE AREA SERVED BY THE AUTHORITY TO HAVE THE PROJECT PROVIDED BY AND FINANCED BY THE CORPORATION; DESIGNATING THE PRESIDENT OF THE BOARD OF COMMISSIONERS OR, IN HIS ABSENCE, ANY OTHER MEMBER OF THE BOARD OF COMMISSIONERS AS THE PERSON TO ACT ON BEHALF OF THE BOARD OF COMMISSIONERS "APPLICABLE ELECTED REPRESENTATIVE" WITHIN THE MEANING OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AUTHORIZING SUCH PRESIDENT OR ANY SUCH MEMBER OF THE BOARD OF COMMISSIONERS TO TAKE CERTAIN ACTIONS ON BEHALF OF THE BOARD OF COMMISSIONERS AS SUCH "APPLICABLE ELECTED REPRESENTATIVE"; AND AUTHORIZING OTHER NECESSARY AND APPROPRIATE ACTION.

WHEREAS, Penn Township, York County, Pennsylvania (the "Township") is a political subdivision existing under and governed by The First Class Township Code, approved May 27, 1949, P.L. 1955, as amended; and

WHEREAS, pursuant to the request of Penn Township Volunteer Emergency Services, Inc. (the "Corporation"), a Pennsylvania nonprofit corporation, the Township, in accordance with its powers, has determined to approve a project (the "Project") consisting of issuance of the Corporation's Guaranteed Tax Exempt Term Note, Series of 2007 (the "Note") among other things, (a) to plan, design and construct additions, improvements and renovations to its fire and emergency service buildings and facilitates; and (b) to pay costs and expenses attributable to the issuance of the Note; and

WHEREAS, the Board of Commissioners has determined that it is desirable for the health, safety and welfare of the citizens of the Commonwealth of Pennsylvania and the residents of the Township, to have the Project undertaken by the Corporation; and

WHEREAS, pursuant to the Internal Revenue Code of 1986, as amended (the "Code"), all notes issued by the Corporation pursuant to Section 150(e) of the Code, such as the Note to be issued by the Corporation, must be approved by the "applicable elected representative" on behalf of which the Note is issued after a public hearing following reasonable public notice; and

WHEREAS, the Board of Commissioners did conduct a public hearing required by Section 147(f) of the Code for which publication of reasonable notice by legal advertisement of the public hearing was made; and

WHEREAS, pursuant to the Code, with respect to the Township, the term "applicable elected representative" means an elected legislative body of the governmental unit from which the Township is derived; and

WHEREAS, the Board of Commissioner's desires to authorize and direct its President or, in his absence, any of its members, to act on its behalf as such "applicable elected representative";

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, as follows:

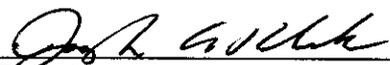
1. In connection with the financing of the Project by the Corporation, this Board of Commissioners does hereby determine and declare, within the meaning of the Act, that it is desirable for the health, safety and welfare of the citizens of the Commonwealth of Pennsylvania and the residents of the Township, and specifically for those areas served by the Project, to have the Project undertaken by the Corporation.

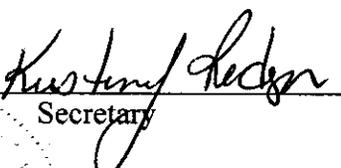
2. The Board of Commissioners hereby empowers, authorizes and directs its President or, in his absence, any of its members, to execute and deliver an "approval of applicable representative" in the form attached hereto, in reliance upon the minutes of a public hearing held November 9, 2007 which has followed reasonable public notice, with respect to the Project. The Board of Commissioners intends that this resolution and the subsequent execution and delivery of the approval of "applicable elected representative" by the President of any member of this Board of Commissioners shall constitute the "approval by a government unit" required by Section 147(f) of the Code.

3. The Board of Commissioners and its proper officers are hereby authorized and empowered to do any and all acts and to execute and deliver any and all documents and instruments necessary, proper or desirable to effect the Project and the financing thereof for the benefit of the Corporation and to exercise any of its powers to effect the issuance of the Note as authorized by the Act.

ADOPTED this 9th day of November, 2007, by the Board of Commissioners of Penn Township, York County, Pennsylvania, in lawful session duly assembled.

PENN TOWNSHIP BOARD OF COMMISSIONERS

By: 
President

ATTEST: 
Secretary

(SEAL)